

1 JEFFER, MANGELS, BUTLER & MARMARO LLP  
2 ROBERT B. KAPLAN (Bar No. 76950)  
3 JENNIFER S. COLEMAN (Bar No. 213210)  
4 Two Embarcadero Center, Fifth Floor  
5 San Francisco, California 94111-3824  
6 Telephone: (415) 398-8080  
7 Facsimile: (415) 398-5584

8 Attorneys for Appellant CALIFORNIA MORTGAGE AND  
9 REALTY, INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 In re  
13 SAIGON PLAZA ASSOCIATION, LLC , a  
14 California limited liability company,  
15 Debtor,

CASE NO. 3:07-cv-02070-VRW  
BK. CASE NO. 07-40169-T  
**ORDER DISMISSING APPEAL**

16  
17 **ON APPEAL FROM THE UNITED STATES BANKRUPTCY COURT FOR THE**  
18 **NORTHERN DISTRICT OF CALIFORNIA FROM AN ORDER ENTERED BY THE**  
19 **HONORABLE LESLIE TCHAIKOVSKY, BANKRUPTCY JUDGE, GRANTING MOTION**  
20 **TO CLARIFY IDENTITY OF DEBTOR AND APPLYING AUTOMATIC STAY TO**  
21 **AVOID FORECLOSURE SALE**

22 The Court, having reviewed the Stipulation to Dismiss Appeal entered into between  
23 Appellant California Mortgage and Realty, Inc. and Respondent Saigon Plaza Association, LLC,  
24 and good cause appearing therefor:

25 IT IS ORDERED THAT:

26 1. The above-referenced appeal shall be dismissed; and

27 //

28 //

2. Appellant California Mortgage and Realty, Inc. and Respondent Saigon Plaza Association, LLC shall bear their own costs with respect to said appeal.

DATED: 6/7/2007



UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP, A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

By: /s/Steven B. Sacks

STEVEN B. SACKS

Attorneys for Respondent SAIGON PLAZA ASSOCIATION LLC

JMBM  
Jeffer Mangels  
Butler & Marmaro LLP

COURT SERVICE LIST

Steven B. Sacks  
Sheppard Mullin Richter & Hampton, LLP  
Four Embarcadero Center, 17<sup>th</sup> Floor  
San Francisco, CA 94111  
ssacks@sheppardmullin.com

Robert B. Kaplan  
Jeffer, Mangels, Butler & Marmaro LLP  
Two Embarcadero Center, 5<sup>th</sup> Floor  
San Francisco, CA 94111  
rbk@jmbm.com

JMBM  
Jeffer Mangels  
Butler & Marmaro LLP